

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Western

District of

Massachusetts

Van A. Lupo  
v.

SUMMONS IN A CIVIL ACTION

Bank America Corporation

CASE NUMBER:

04-40202-FDS

TO: (Name and address of Defendant)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jill C. Shedd  
Law Office of Jill Shedd & Associates  
929 Massachusetts Avenue  
Level 01  
Cambridge, MA. 02139

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

*Katherine Hassett*  
(By) DEPUTY CLERK

DATE

October 7, 2004

MECKLENBURG CO  
SHERIFFS OFFICE

AMOUNT

PAID

AMT \$50.00x 225

**STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG**

**AFFIDAVIT OF PERSONAL SERVICE**

PERSONALLY APPEARED before me, the undersigned authority, D. Windham  
Deputy Sheriff of Mecklenburg County, so being duly sworn, deposes and says that in the County of  
Mecklenburg, State of North Carolina, serving the defendants by the laws governing service of Civil  
Process within the State of North Carolina, he delivered to the within named defendant(s) at the following  
time(s) and place(s) to wit:

CASE # 04-40202 FDS

NAME: BANK OF AMERICA was served:

☐ by delivering to the defendant named above a copy of the summons and complaint or \_\_\_\_\_

☒ by leaving a copy of the summons and complaint and/or \_\_\_\_\_  
at the dwelling house or usual place of abode of the defendant named above with a person of suitable age  
and discretion then residing therein. BANK manager MS. Sarah A. Sirois  
(name of person copies were left with)

☐ defendant was not served for the following reason(s): \_\_\_\_\_

DATE: Month/Day/Year: 6-9-05 1010 AM

LOCATION: 100 N. Tryon St Bank of America Center City

A true copy of ☐ summons and complaint or ☒ Civil Summons, and further, he  
knows that the person(s) so served to be the one(s) mentioned and the deponent is not a party to the action.

Sheriff of Mecklenburg County, North Carolina

By: D. Windham TAS60  
Deputy Sheriff

Sworn to and subscribed before me,

this 15 day of June 2005

Oprieta M. Stiles  
Notary Public - Mecklenburg County NC

My Commission expires: 8/8/06

□